IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FIFTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 26679 of 1995

Between:

Mohd. Hafez , s/o late. Mohd salar,

Aged about 72 years, Pensioner,
R/o H.no.12-144, Rajampet, Sangareddy,
Medak Dist.

..... PETITIONER

AND

1 The Municipal Commissioner,
Municipality Sangareddy, Medak Dist.
2 The Chairman,
Municipalty Sangareddy, Medak Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to call for the records pertaining to the said grievance of the public in respect of the drain abutting southern boundary house bearing municipal no.12-144, Rajampet Sangareddy, Medak dist. along with all other connected records. I further submit that the inaction of the respondents needs to be declared as illegal and immediate directions to the respondents to maintain the said drain in proper condition by flushing and cleaning it and to convert into a pucca drain with proper covering as per technically required are warranted.

Counsel for the Petitioner: MR.KHAJA MOIZUDDIN

Counsel for the Respondents: MR. SRIRAMA KRISHNA MURTHY (SC FOR MUNCIPALITY)

The Court made the following :

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O R D E R:

Heard.

2. The grievance of the petitioner is that a particular drain in Sangareddy, which is described in the writ affidavit, has been causing much inconvenience to the petitioner as others in that locality. The further grievance of the petitioner is that the respondents have taken no action for removal of the said inconvenience and there is no proper maintenance of the drain.

3. No counter is filed.

4. From the submissions of the learned counsel for the petitioner and from the writ affidavit, it appears that the inconvenience complained of by the petitioner is multifarious. Hence, considering the facts and circumstances, this writ petition is disposed of with the following direction:

5. The respondents shall take necessary steps to prevent the inconvenience complained of by the petitioner in the writ petition and also shall take steps for the free flow of the drain, in order to avoid inconvenience to the general public.

6. In the circumstances of the case, there shall be no order as to costs.

05.08.2004

AVS/**VS**

To

1 The Municipal Commissioner,
Municipality Sangareddy, Medak Dist.
2 The Chairman,
Municipalty Sangareddy, Medak Dist.

3. Two CD copies.

THE HON'BLE MR JUSTICE D.S.R.VARMA

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WRIT PETITION NO. 26679 OF 1995

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Dated: 05-08-2004